

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 1512-1

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.

PROMESA

Title III

No. 17 BK 3283-LTS

This Motion relates only to the
Commonwealth and shall only be filed in
the lead Case No. 17 BK-3283-LTS.

**URGENT MOTION FOR EXTENSION OF DEADLINES
IN CONNECTION WITH THE THIRD AMENDED NOTICE,
CASE MANAGEMENT AND ADMINISTRATIVE PROCEDURES**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”), as a Title III debtor, by and through the Financial Oversight and Management Board for Puerto Rico, as the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Commonwealth's representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* ("PROMESA"),² respectfully submits this urgent motion for an extension of the deadlines set forth in Paragraphs III.G and H of the *Third Amended Notice, Case Management and Administrative Procedures* [ECF No. 1512-1].

BACKGROUND

1. On May 9, 2017, the Debtors filed a motion seeking to establish certain notice, case management, and administrative procedures for the Title III cases [ECF No. 43] (as amended, the "Case Management Procedures"). On June 2, 2017, the Court entered an order approving the Case Management Procedures [ECF No. 249], which was subsequently amended by orders of the Court on June 6, 2017, August 17, 2017, and October 24, 2017 [ECF Nos. 262, 1065, 1512].

RELIEF REQUESTED

2. Pursuant to Paragraph III.G of the Case Management Procedures, the deadline to file and serve motions to be heard at the omnibus hearing scheduled for December 20, 2017 was November 28, 2017. See Third Amended Case Management Procedures ¶ III(G).

3. Contemporaneously with the filing of this Motion, the Commonwealth has filed the *Commonwealth of Puerto Rico's Motion for an Order Authorizing Assumption of Agreement with Eduardo José Mandry Mercado and Lucía Casas Casal Pursuant to Bankruptcy Code Section 365* (the "Assumption Motion"), which seeks entry of an order authorizing the Commonwealth, on behalf of the Puerto Rico Police Department, to assume that certain Assignment of Usufruct Agreement dated August 11, 2016 (the "Agreement") under Bankruptcy Code section 365, made applicable to the Commonwealth's Title III case by PROMESA section 301(a), and cure any defaults under the Agreement, if needed. As discussed in the Assumption

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

Motion, the Commonwealth's deadline to assume or reject its non-residential real property leases under Bankruptcy Code section 365(d)(4) is today, November 29, 2017. The Commonwealth and its advisors have been attempting to reach consensual extensions of the section 365(d)(4) deadline to avoid the filing of any motions to assume, however, the Commonwealth was unable to obtain a consensual extension of the deadline to assume the Agreement by the close of business today. Accordingly, the Commonwealth respectfully requests a one-day extension of the deadline to file and serve pleadings to be heard at the December 20, 2017 omnibus hearing so that the Assumption Motion may be heard at the hearing.

4. The danger of prejudice to any parties in interest and the potential impact on the Title III cases are minimal. To further eliminate any prejudice to parties in interest, the Commonwealth has served the Assumption Motion on all required parties by overnight delivery and/or email and is willing to consent to an extension of the deadline to file an objection to the Assumption Motion by one additional calendar day to December 6, 2017, so that parties in interest have the original amount of time set forth in the Case Management Procedures to respond to the motion. For the foregoing reasons, the Commonwealth respectfully requests that the Court extend the deadline to file (a) the Assumption Motion to November 29, 2017, so it can be heard at the December 20, 2017 omnibus hearing and (b) any objections to the Assumption Motion to December 6, 2017 at 4:00 p.m. (Atlantic Standard Time).

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WHEREFORE the Commonwealth respectfully requests the Court enter an order providing (i) a one-day extension of the deadline to file and serve pleadings to be heard at the December 20, 2017 omnibus hearing so that the Assumption Motion may be heard at the hearing, (ii) if the Court deems it necessary, an extension of the deadline to file an objection to the Assumption Motion by one additional calendar day to December 6, 2017, and (iii) such other and further relief as the Court deems just and proper.

Dated: November 29, 2017
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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